

Memo

To: Vic Forte, VP Operations

Norphlet Chemical, Inc.

From: James Felton, President



Felton Environmental Services, Inc.

Re: Safety and Environmental Issues

Date: September 25, 2008

This memo is written in response to your phone call of September 23, 2008 in which you said to stop any work that Felton Environmental Services, Inc. is providing for Norphlet Chemical Inc. Due to this, I am sending you this memo to assist you in maintaining compliance with applicable regulations. I have included attachments with information regarding regulatory submittals and issues. The attachments do not list all of the requirements to maintain compliance so you will want to research them yourself. Another source would be Ray Hahn with Jones Hamilton. He has been helpful and knowledgeable. Please look over the attachments and feel free to call me anytime. As we have talked, I know that you are aware that there are environmental and safety issues, reports, and deadlines in the near future. These include submittals to ADEQ, EPA, Homeland Security, DOT, and ADEM. Please Call the Department of Homeland Security as they can assist you in transferring contact and submittal responsibilities to you. They can be reached at 866-323-2957. The Security Vulnerability Analysis is due by December. You may want to contact all of the other regulatory agencies and provide status reports to them. I hope that Norphlet Chemical, Inc. does prosper and maintains regulatory compliance. If there is anything that I can do for you in the future please call.

Annual EHS&S Requirements Norphlet Plant

Requirement	Responsible Person	Complete by	Submit to
Storm Water			
Annual monitoring		July 25	ADEQ
Annual Comprehensive Site Compliance Evaluation		December 31	File
Annual Training		December 31	File
Periodic Visual Site Inspections		As prescribed in SWPPP	File
Annual Fee		As billed	ADEQ
Wastewater			
TBD			
Waste			
Inspection of Hazardous Waste Storage Areas		At least weekly	File
Hazardous Waste Monitoring and Inspection Fee		January 1	ADEQ
Annual Hazardous Waste Generator Report		March 1	ADEQ
The Remedial Action Trust Fund Fee (Superfund Fee)		July 1	ADEQ
Annual Waste Management Training		December 31	File
Community Right-to-Know			
Hazardous Chemical Inventory Report (312)		March 1	SERC, Local Fire Departments, LEPC
Toxic Release Inventory Report (313)		July 1	ADEQ and US EPA
Toxic Release Inventory Report Fee		July 1	ADEQ

Annual EHS&S Requirements Norphlet Plant

Requirement	Responsible Person	Complete by	Submit to
Air			
Daily recording of operating parameters		At least once every 12 hours	File
Monthly records of HF, TCE and natural gas usage		Monthly	File
Annual Emissions Inventory		March 30	File
TSCA			
TSCA IUR Production & Site Report		Every 4 years (2010, 2014, etc.)	US EPA
Compliance Audits			
Annual Environmental Compliance Audit		December 31	File
Emergency Response			
Annual Review of Emergency Response Plan		December 31	File
Annual Training		December 31	File
Transportation			
DOT – Annual Registration		June 30	DOT
DOT – Tri-Annual Training		10/06	File
Security Plan Review		December 31	File
OSHA			
OSHA 300 Log		February 1	Post/File
Annual MSDS Review		March 1	File, Distribution
Lockout/Tagout – Annual Program Review and Certification		December 31	File
Confined Space – Annual Review		December 31	File
PPE – Annual Review		December 31	File

Annual EHS&S Requirements Norphlet Plant

Requirement	Responsible Person	Complete by	Submit to
Respiratory Protection – Annual Review		December 31	File
Fire Prevention – Annual Review		December 31	File
Bloodborne Pathogens – Annual Review		December 31	File
Laboratory Safety – Annual Review		December 31	File
Training Plan for Following Year		December 31	File
Fire Prevention – Annual Training		December 31	File
First Aid/CPR – Bi-Annual Training		December 31 of even numbered years	File
Respiratory Protection – Annual Training & Fit Testing		December 31	File
Forklift – Reevaluation (at least every 3 years)			File
Periodic Safety Compliance Reviews			File
Annual Safety Compliance Audit	3 rd Party		File
Periodic safety Inspections of various equipment and systems		Refer to “Periodic Safety Inspection Summary”	File



RCRA SUBTITLE C SITE IDENTIFICATION

Arkansas Department of Environmental Quality
Hazardous Waste Division
5301 Northshore Dr.
North Little Rock, AR 72118-5317
Phone: (501) 682-0833



FOR STATE USE ONLY	AFIN #: _____ PERMIT NO. _____ MEDIA: HAZARDOUS, SUPERFUND, BROWNFIELDS, ENFORCEMENT, COMPLIANCE, PERMITTING DATE: _____		EPA ID Assigned:
1. Installation EPA ID Number	<input type="checkbox"/> To provide initial notification (to obtain an EPA ID Number for hazardous waste, universal waste, or used oil activities). <input checked="" type="checkbox"/> To provide subsequent notification (to update site identification information (Complete EPA #)) <input type="checkbox"/> As a component of a First RCRA Hazardous Waste Part A Permit Application. <input type="checkbox"/> As a component of a Revised RCRA Hazardous Waste Part A Permit Application <input checked="" type="checkbox"/> As a component of the Hazardous Waste Annual Report.		
2. Site EPA ID Number (see instructions on page 6)	EPA ID Number: ARD001794445		
3. Site Name	Name: Norphlet Chemical, Inc.		
4. Site Location Information (See Instructions on page 7)	Street Address: 600 MacMillan Drive City, Town or Village: Norphlet State: AR County Name: Union Zip Code: 71759 Latitude: Longitude:		
5. Site Land Type (see instructions on page 7)	Site Land Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other		
6. North American Industry Classification System (NAICS) Code(s) for the Site (see instructions on page 7)	A. 32512 B. C. D.		
7. Site Mailing Address (see instructions on Page 7)	Street or P. O. Box: P. O. Box 100 City, Town or Village: Norphlet State: AR Country: USA Zip Code: 71759		
8. Site Contact Person (See instructions on page 8)	First Name: Victor MI: R Last Name: Forte Phone Number: (870) 546-2253 Ext. Email: vrforte@norphletchem.com		
9. Operator and Legal Owner of the Site (see instructions on page 8 & 9)	A. Name of Site's Operator: Norphlet Chemical Date Became Operator (mm/dd/yyyy) 02/01/2005 Operator Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other B. Name and Address of Site's Legal Owner: Norphlet Chemical, Inc. Date Became Owner (mm/dd/yyyy) Owner Type: <input checked="" type="checkbox"/> Private <input type="checkbox"/> County <input type="checkbox"/> District <input type="checkbox"/> Federal <input type="checkbox"/> Indian <input type="checkbox"/> Municipal <input type="checkbox"/> State <input type="checkbox"/> Other		

10. Type of Regulated Waste Activity

Mark "Yes" or "No" for all activities: complete any additional boxes as instructed. (See instructions on pages 9 - 12)

A. HAZARDOUS WASTE ACTIVITIES (Complete all parts for 1 through 6)

Y ☒ N ☐ 1. GENERATOR OF HAZARDOUS WASTEIf "Yes," choose only one of the following
a, b, c, d, or e.

- ☒ a. LQG Greater than 1,000 kg/month (2,200 lbs/month)
of non-acute hazardous waste; or
- ☐ b. SQG 100 to 1,000 kg/month (220 - 2,200 lbs/month)
of non-acute hazardous waste; or
- ☐ c. CESQG Less than 100 kg/month (220 lbs/month)
of non-acute hazardous waste
- ☐ d. NGN No Hazardous Waste Generated
(FACILITY OPERATING)
- ☐ e. CLD No Hazardous Waste Generated
(FACILITY CLOSED)
- Date of Closure: _____

Y ☐ N ☒ f. United States Importer of Hazardous WasteY ☐ N ☒ g. Mixed Waste (hazardous and radioactive) GeneratorY ☐ N ☒ h. Provisional Generator Only
(One-Time event such as spill cleanup, etc. Include
description in Comments Section below. Also include
appropriate generator status above)

B. UNIVERSAL WASTE ACTIVITIES

Y ☐ N ☒ 1. LARGE QUANTITY HANDLER OF UNIVERSAL WASTE
(REFER TO REG. NO. 23 TO DETERMINE WHAT IS
REGULATED). INDICATE TYPES OF UNIVERSAL WASTE
GENERATED AND/OR ACCUMULATED AT YOUR SITE.
(If "Yes," mark all boxes that apply):

Managed

- ☐ a. Batteries
- ☐ b. Pesticides
- ☐ c. Mercury Containing Equipment
- ☐ d. Lamps
- ☐ e. Other (specify)
- ☐ f. Other (specify)
- ☐ g. Other (specify)

Y ☐ N ☒ 2. DESTINATION FACILITY FOR UNIVERSAL WASTE
NOTE: A hazardous waste permit may be
required for this activity.Y ☐ N ☒ 2. TRANSPORTER OF HAZARDOUS WASTE

Transportation Operations

- ☐ For own waste only
- ☐ For commercial purposes
- ☐ Transfer Facility

Y ☐ N ☒ 3. HAZARDOUS WASTE TREATMENT/STORAGE/
DISPOSAL STATUS
(On-Site Treatment, Storage, or Disposal subject to
RCRA permitting)

- ☐ Non-Commercial TSD Unit(s)-Own Waste(s) Only
- ☐ Commercial TSD Unit(s)-Accepts Waste from Off-site

Y ☐ N ☒ 4. RECYCLER OF HAZARDOUS WASTE (at your site)
Note: A hazardous waste permit may be required for
this activity.Y ☐ N ☒ 5. EXEMPT BOILER AND/OR INDUSTRIAL FURNANCE

- ☐ Smelting, Melting, and Refining Furnace Exemption
- ☐ Small Quantity On-Site Burner Exemption

Y ☐ N ☒ 6. UNDERGROUND INJECTION CONTROL

C. USED OIL ACTIVITIES (MARK ALL BOXES THAT APPLY)

Y ☐ N ☒ 1. USED OIL TRANSPORTER

If "Yes," mark each that applies

- ☐ a. Used Oil Transporter
- ☐ b. Used Oil Transfer Facility
- ☐ c. Transporter AND Transfer Facility

Y ☐ N ☒ 2. USED OIL PROCESSOR AND/OR RE-REFINER

If "Yes," mark each that applies.

- ☐ a. Processor
- ☐ b. Re-refiner

Y ☐ N ☒ 3. OFF-SPECIFICATION USED OIL BURNERY ☐ N ☒ 4. USED OIL FUEL MARKETER

If "Yes," mark each that applies.

- ☐ a. Marketer Who Directs Shipment of Off-Specification
Used Oil to Off-Specification Used Oil Burner
- ☐ b. Marketer Who First Claims the Used Oil Meets the
Specifications

EPA ID NUMBER

ARD001794445

11. Description of Regulated Wastes (page 12)

Waste Codes for Regulated Hazardous Wastes. Please list the waste codes of the hazardous wastes handled at your site. List them in the order they are presented in the regulations (e.g. D001, D003, F007, U112). Use an additional page if more spaces are needed. The list of waste codes can be found on page 39. (See Reg. No. 23, §§261.31 - 261.33.)

12. Comments (see instructions on page 13).

Facility located at the former Macmillan Ring-Free Oil Company site.

13. 2007 Waste Generation Totals (see instructions on page 13).

Total Amount of Waste Generated in 2007 (pounds)	Total Amount of Waste Shipped Off-site in 2007 (pounds)	Amount of Waste Treated On-Site in 2007 (pounds)	Management Method Code for Waste Treated On-Site in 2007	Total Amount of Waste Received from Off-Site Sources in 2007 (pounds)
NA				

14. CERTIFICATION. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Base on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information the information submitted is to the best of my knowledge and belief true accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. (See instructions on page 13.)

Signature of owner, operator, or an authorized representative	Name and Official Title (Type or print in ink)	Date Signed (mm/dd/yyyy)
	Victor R. Forte, VP Operations	

STATE USE ONLY

[illegible]

Felton Environmental Services, Inc.

679 Whippoorwill Road Story, AR 71970

Invoice No.

027

INVOICE

Customer

Name Norphlet Chemical Inc.
Address P. O. Box 100
City Norphlet State AR ZIP 71759
Phone

Misc

Date 8/5/2008
Order No.
Rep
FOB

Qty	Description	Unit Price	TOTAL
1	Professional Consulting Fees	\$ 4,550.00	\$ 4,550.00

SubTotal \$ 4,550.00
Shipping

Check

Tax Rate(s)

Comments

TOTAL \$ 4,550.00

Office Use Only

July 2008

We appreciate your business!

Felton Environmental Services, Inc.

679 Whippoorwill Road Story, AR 71970

Invoice No.

INVOICE

Customer

Name Norphlet Chemical Inc.
Address P. O. Box 100
City Norphlet State AR ZIP 71759
Phone

Misc

Date 9/2/2008
Order No.
Rep
FOB

Qty	Description	Unit Price	TOTAL
1	Professional Consulting Fees	\$ 2,850.00	\$ 2,850.00

SubTotal \$ 2,850.00
Shipping

Tax Rate(s)

TOTAL \$ 2,850.00

Comments

Check

Office Use Only

August 2008

We appreciate your business!

Felton Environmental Services, Inc.

679 Whippoorwill Road Story, AR 71970

Invoice No.

833

INVOICE

Customer

Name Norphlet Chemical Inc.
Address P. O Box 100
City Norphlet State AR ZIP 71759
Phone

Misc

Date 10/1/2008
Order No.
Rep
FOB

Qty	Description	Unit Price	TOTAL
1	Professional Consulting Fees	\$ 3,450.00	\$ 3,450.00

SubTotal \$ 3,450.00
Shipping

Check

Tax Rate(s)

Comments

TOTAL **\$ 3,450.00**

Office Use Only

September 2008

We appreciate your business!